10 Ja

THE SETT OF THE CITY OF Edinburgh.

Printed in the Year 1683.

a. 3377. 25

Scotland James II, King

THE SETT, OR Decreet Arbitral OF KING *JAMES* the 6th. Of bleſſed Memory.

Deciding all Differences betwixt Merchants and Trades, anent the Government of the City of *Edinburgh*: As it is Regiſtrat in the Books of Council and Seſſion, and Ratified in Parliament.

Together with

The Acts of the Town Council, determining the time of the Continuation of the Provoſt, Dean of Gild, and Theſaurer, to be no longer then one or two years together at one time.

The Magiſtrats and Council of this City, Ordains the Sett, Decreet Arbitral, and the ſame Acts of the Town Council, to be Printed and Publiſhed.

Edinburgh, Printed by the Heir of *Andrew Anderſon* Printer to His moſt Sacred Majeſty, City and Colledge, 1683.

MVSEVM
BRITAN
NICVM

THE INDEX OF THE SETT.

1. THe Consent to the Registration of the Decreet Arbitral, containing the Names of the Procurators Constitute for that effect, and the Names of the Submitters, both Merchants and Trades-men. *Page* 1,2,3,4.

2. Contains the Name of the Overs-man by advice of both Merchants and Trades, being the most Potent and Illustrious Prince, King *James* the sixth, and the Names of the Judges Arbitrators for both the saids Parties, for deciding all differences, concerning the Number, Power, and Authority of those who are to have the Government of the said City. *Page* 5,6,7,8.

3. The qualification of the Magistrats, who are to be Merchants, and Trades-men to be capable thereof, leaving their Trade. *Page* 8.

4. The Number of the ordinary Counsel, being twenty five Persons. *Page* 9.

5. That none be Elected Magistrats, unlesse they have been one year or two off before upon the Counsel, and that Trades Counsellors be indifferently chosen out of the hail Crafts, and they not to continue upon the Counsel above two years. *Item*, The Baillies to be chosen indifferently out of the 12 upon the Leit. And that no Deacon be chosen except he has been

a Master of his Craft two years, and to continue no longer than two years together. *Page* 9,10,11.

6. The Names of the particular Incorporations, being Fourteen in Number, the time and manner of Leiting of their Deacons, and the presenting them to the Counsel. *Page* 11,12,13.

7. The Election of the six ordinary Deacons, to be out of the Fourteen Deacons. *Page* 13,14.

8. The Election of the Merchants and Trades Counsellors, being 3 *Merchants* and 2 Trades-men. *Page* 14,15.

9. The Election of the Leits to be Magistrats, the Electors to be twenty Merchants, and ten Trades, the present Provost, *Dean* of Gild, and Thesaurer to be on their respective Leits, none of the present Bailies to be upon the Leit. *Page* 15,16.

10. Election of the Magistrats consisting of thirty-eight Persons, whereof twenty Merchants, and eighteen Trades-men, yearly upon the Tuesday after *Michaelmass*. *Page* 16,17.

11. The ordinary Counsel, consisting of twenty five Persons, who are to have the full Administration and Government of the Burgh, except in several Cases. *Page* 17,18.

12. Anent Warning to the Counsel, in case of absents of Magistrats, Deacons, and Counsellors *Page* 19.

13. Prohibition against *Merchants* meeting among themselves, or one Deacon with an other, without consent of the Counsel. *Page* 20.

14. Liberty to the Dean of Gild to conveen his Counsel and Courts, and Crafts to conveen for Chooſing of their Deacons, and for tryal of their Handy-work allenerly, and giving encouragement to them to devise any good improvement of their Trade. *Page ibid.* & 21.

15. That there be a Commissioner choisen for the hail Trades to represent them in Parliament, Convention of Estates, and Convention of Burrows, he being a Gild-brother. *Page ibid.* & 22.

16. Auditors

16. Auditors of the Towns Accompts to be of equal Number of Merchants and Trades-men. *Page ibid.*

17. Trades-men as well as Merchants to be capable to be Gild-brethren. *Page ibid. & 23.*

18. The Dean of Gild's Counsel to consist of equal Number of *Merchants* and Trades, every Person of the said Counsel being a Gild-brother. *Page ibid.*

19. None to use *Merchandice*, or his *Craft*, until he first be a Burgesse. *Page ibid. & 24.*

20. *Merchants* and Trades-men are promiscuously to be Stented, without division of the Rolls in *Merchants* and Crafts-men, and the Stent-masters are to be of equal Number of *Merchants* and Trades: The Provost and Bailies for the time allenerly to be free of the Stent. *Page ibid. & 25.*

21. That there be but one Purse, Common to both Merchants and Trades: And the time of Prenticeships not to be under five years, containing the price of their Booking and Upsetts: And the Collectors of the famine to be of equal Number of *Merchants* and Trades: The King and Judges willing, and Ordaining them to fulfil the Premisses. *Page ibid. & 26,27,28,29,30,31.*

22. Certification of the Sett; *viz.* To be holden a Disturber of the Peace of the City, Infamous, Forfault their Freedom, and punished as Seditious. *ibid. & 32.*

The

THE

SETT,

AND

Decreet Arbitral

OF

KING *JAMES* the 6th.

Of bleſſed Memory.

CONTAINING

The Fundamental Principles of the Government of the City of *Edinburgh*, and deciding all Differences betwixt Merchants and Crafts-men therein, as it is Regiſtrat in the Books of Council:

Together with

The two Acts of Town Council relating to the ſame.

The Magiſtrats and Council of this City, Ordains the Sett, Decreet Arbitral, and two Acts of the Town Council, to be Printed and Publiſhed.

EDINBURGH,
Printed by the Heir of *Andrew Anderſon*, Printer to His moſt Sacred Majeſty, City and Colledge, 1683.

The Copy of the Decreet Arbitral betwixt the Merchands and Craftſ-men of this Brugh, as it is Regiſtrate in the Buiks of Counſel.

AT *Edinbrugh*, the Nineteenth day of *June*, the year of God, One thouſand five hundred fourſcore three years, in preſence of the Lords of Counſel compeared perſonally Mr. *John Sharp*, *John Preſtoun*, *Thomas Craig* and *John Skeene*, Procurators ſpecially conſtitute for the Proveſt, Baillies, Deakens, Counſel, and Community of the Brugh of *Edinbrugh*, be the Act of Counſel underwritten, made

in preſence of the Proveſt, Baillies, Deakens, Counſel, and Community contein'd thereintil, of the Date underwritten, and gave in the ſaid Act of Counſel, with the Decreet Arbitral aftermentionat given and pronouncit be the Kings Majeſty and Judges afterfollowing, Subſcrived be them, and the Parties after-rehearſed, and deſired the ſame to be Inſert and Regiſtrat in the Buiks of Counſel, to have the ſtrength, force, and effect of their Act and Decreet in time to come, and Letters and Executorials to be direct upon the Parties ſpecifiet thairintil. The quhilk deſire the ſaid Lords thought reaſonable; and therefore hes Ordained and Ordains the ſaid Act and Decreet Arbitral to be Inſert and Regiſtrat in the ſaid Buiks, to have the ſtrength, force, and effect of their Act and Decreet, and hes interponit and interpons their Decreet and Authority thereto, and Decerns and Ordains Letters and Executorials to be direct upon the hail Parties ſpecifiet in the ſaid Decreet

creet Arbitral, for fulfilling thereof in all poynts, in manner ſpecifiet thereintil: Of the quhilk the tenor follows.

The quhilk day Mr. *Michael Chiſholme*, *Andrew Sclater*, *John Adamſone* Baillies, Mr. *John Preſtoun* Dean of Gild, *Mungo Ruſſell* Theſaurer, *John Johnſtoun*, *John Harwood*, *John Robertſone*, *William Maule*, *William Neſbet*, *Alexander Naper*, *John Moriſone*, *Robert Ker*, *Henry Charters* Merchants, *James Fergusone* Bowar, *John Bairnsfather* Tailyeour, and the Deakens following, *viz.* *Gilbert Prymroſe* Chirurgian, *John Watt* Smyth, *Edward Galbraith* Skynner, *Edward Hair* Gold-Smyth, *William Hoppringle* Tailyeour, *Thomas Dickſon* Furrier; And ſicklike *James Ker* Fleſher, *William Weir* Cordiner, *Adam Newtoun* Baxter, *William Cowtts* Waker, *William Somer* Bonnet-maker, *William Wright* Webſter, remanent Deakens of Crafts for themſelves, and the hail Body and Community of the Town, als well Merchants as Craftsmen, makes and conſtitutes Mrs. *John*

Sharp, *Thomas Craig*, *John Preſtoun* Aſſeſſours, and Mr. *John Skene* Procurator-Fiſcal, or any twa of them, their Procuratours, to compear before the Lords of Seſſion and Counſel whatſomever day or days convenient, and there in name and behalf of the Proveſt, Baillies and Counſel for the Merchants, and of the ſaid Deakens for the Crafts on the uther part, to conſent to the Regiſtrating of the Decreet Arbitral given by the Kings *Majeſty* and Arbitrators ſpecified therein betwixt the Merchants and Crafts-men, in the Buiks of Counſel, interponing of their Authority thereto, with Execution to follow thereupon in maner ſpecified in the ſaid Decreet, and generally, *&c. Promittentes de rato*, &c. Extract furth of the Counſel Buik of *Edinburgh*, be me Mr. *Alexander Guthrie* Common-Clerk of the ſamen, witneſs thereto my Sign and Subſcription Manual. *Sic Subſcribitur*

Alex. Guthrie.

Here

Here follows the tenor of the ſaid Decreet Arbitral.

AT *Halyruidhouſe*, the twenty twa day of *Apryl*, the Yeir of God One thouſand five hundred fourſcore three years, we *Robert Fairlie* of *Braid*, Sir *Archibald Naper* of *Edinbellie* Knight, and *James Johnſtoun* of *Elphingſtoun*, Judges Arbitrators, choſen for the part of Mr. *Michael Chiſholme*, *Andrew Sclater*, *John Adamſone*, and *William Fairlie* Baillies of *Edinburgh*, Mr *John Preſtoun* Dean of Gild, *Mungo Ruſſel* Theſaurer, *John Johnſtoun*, *Robert Ker* younger, *Henry Charters*, *John Moriſone*, *William Maul*, *John Harwood*, *John Robertſone*, *William Inglis*, *Alexander Naper*, *William Nesbet* Merchants, being on the Counſel of the ſaid Burgh, for themſelves, and in name and behalf, and as Commiſſioners for the hail Merchants Indwellers of the ſaid Burgh, on the ane part, and *John Cockburn* of *Ormeſtoun*, Mr. *Robert Pont* Proveſt of the *Trinity-Col-*

ledge,

ledge, and Mr. *David Lindſey* Miniſter of *Leith*, Judges Arbitrators choſen for the part of *James Fergusone* Bower, *John Bairnsfather* Tailyeour, twa of the Crafts-men, being on the Counſel of the ſaid Burgh; *Gilbert Prymroſe* Deaken of the Chirurgians, *John Watt* Deaken of the Hammer-men, *William Hoppringle* Deaken of the Tailyeours, *Edward Galbraith* Deaken of the Skinners, *Edward Hairt* Deaken of the Gold-Smiths, *Adam Newtoun* Deaken of the Baxters, *Thomas Dickſone* Deaken of the Furriers, *Andrew Williamſone* Deaken of the Wrights, *William Bickertoun* Deaken of the Maiſſons, *James Ker* Deaken of the Fleſhers, *William Weir* Deaken of the Cordiners, *Thomas Wright* Deaken of the Webſters, *William Cowtts* Deaken of the Wakers, and *William Somer* Deaken of the Bonnet-makers, for themſelves, and in name and behalf, and as Commiſſioners for the hail Crafts-men, Indwellers of the ſaid Burgh, on the uther part: And the Right Potent and Illuſter Prince, *James*

be

be the Grace of God, King of *Scots*, our Soveraign Lord, Ods-man and Overs-man, commonly cholen be advice and conſent of baith the ſaids Parties, anent the removing of all Queſtions, Differences, and Controverſies, quhilks are, or hes been betwixt the ſaids Merchants, concerning whatſomer cauſe or occaſion, whereupon Debate or Queſtion did ariſe in any time betwixt them: And thereupon, baith the ſaids Parties being Bund, Obliſt, and Sworn, to ſtand, abide, underly, and fulfil the Decreet Arbitral, and Deliverance of us the ſaids Judges, and Overs-man, but Appellation, Reclamation, or Contradiction, as at length is contained in ane Submiſſion made thereupon, baith the ſaids Parties Clames and Griefs given in be them, with the Anſwers made thereto, and their Rights, Reaſons, and Alledgiances being heard, ſeen, and conſidered be us, and we therewith being ryply advyſit, after many ſundry Conventions and Meetings, with lang travels tane hereanent, hes all in ane Voice

Accordit,

Accordit, Decernit, and Concludit upon the Heads and Articles following.

First, To take away all differences quhilk hes been heretofore, concerning the Persons who had the Government of the Town, their Number, Power, or Authority, and maner of their Election; It is finally accordit and decernit thereupon as follows.

MAGISTRATS.

THE Magristrats, sic as Proveſt, Bailhes, Dean of Gild, and Theſaurer, to be in all tymes coming of the Eſtait and Calling of Merchants, conforme to the Acts of *Parliament*; and if any Crafts-man Exerce and Merchandize, fall for his guid Qualities be promovit theirto, in that caiſe he ſall leive his Craft, and not occupy the ſame be himſelf nor his Servants during the tyme of his Office, and ſall not returne theirto at any tyme theireafter, quhill

quhill he obtein ſpecial licence of the Proveſt, Baillies and Counſel to that effect.

COUNSEL.

THe Counſel to conſiſt of Ten Merchants, to wit, The auld Proveſt, Four auld Baillies, Dean of Gild and Theſaurer of the nixt year preceiding, and Three Merchants to be choſen to them, and als to conſiſt of Eight Crafts-men theirof, Sex Deakens, and Twa uther Crafts-men, makand in the hail the ſaid Counſel Eighteen Perſons, and this by the Officemen of that year, to wit, the Proveſt, Baillies, Dean of Gild, and Theſaurer.

ELECTION.

AND as to the manner of their Election, It is firſt generally accordit and agriet, that na maner of perſon be choſen Proveſt, Baillies, Dean

Dean of Gild, or Theſaurer, ſuppoſe they be Burgeſſes of the Brugh, and able therefore, without they have been ane year or twa upon the Counſel of before. And anent the Counſel, the auld maner of giving in of Tickets be the Deakens, out of the quhilk the Twa Crafts-men were yearly choſen, to be abrogat, ceaſe and expyre in all tymes coming, ſwa that the ſaids Twa Crafts-men ſhall be choſen yearly without any ingiving of Tickets indifferently, of the beſt and worthieſt of the Crafts be the ſaids Proveſt, Baillies, Dean of Gild, Theſaurer and Counſel allanerly, and nane to be on the Counſel above Twa year together, except they be Office-men, or be vertue of their Offices be on the Counſel. Sicklike, anent the Lytts to be Baillies, they ſall not be divided nor caſten in Four Ranks, Three to every Rank, as they were wont to be, bot to be choſen indifferently, Ane out of the Twelff Lytts, Ane uther out of Eleven Lytts, the Third out of Ten, and the Fourt out

of

of Nyne Lytts. Anent the Deakens, That nane be electit Deaken, except he that hes been an Maiſter of his Craft twa year at the leaſt; and that nane of them be continued in their Offices of Deakenſhip above twa year togidder. Laſt in general, That nane have vote in Lytting, Voiting, Electing, of the Proveſt, Baillies, Counſel, Deakens, Dean of Gild, or Theſaurer, but the perſons hereafter following, in maner afterſpecifiet.

Election in ſpecial of DEAKENS.

AND to proceid to the ſaid Election, It is found guid to begin at the chooſing of the Deakens of Crafts, quhilks are Fourteen in number, to wit, *Chirurgeans, Goldſmyths, Skynners, Furriers, Hammer-men, Wrights, Maſons, Tailyeours, Baxters, Fleſhers, Cordiners, Webſters, Wakers, Bonnet-makers*; Swa the Deakens now preſent ſhall ſtand and continue quhil the third

Counſel

Counſel day of before the auld time of Election of the new Counſel, quhilk was on the *Wedneſday* next preceeding the Feaſt of *Michaelmaſs*; upon the quhilk third Counſel day, the Proveſt, Baillies, and Counſel now ſtandand, extending to Nineteen Perſons, and fra thence furth yearly, and ilk year, the Proveſt, Baillies and Counſel, conſtitute of the ſaid Twenty Five Perſons, ſall call in before them the ſaids Deakens of Crafts, every ane ſeverally, and inquire their opinion and judgement of the beſt and worthieſt of their Crafts; Thereafter, the ſaids Proveſt, Baillies and Counſel ſhall nominat and Lytt three Perſons of the maiſt Diſcreet, Godly, and Qualified Perſons of every ane of the ſaids Fourteen Crafts, maiſt expert Hand-labourers of their awen Craft, Burgeſſes and Freemen of the Brugh of *Edinbrugh*, whereof the auld Deaken ſhall be ane, and cauſe deliver their Names to the Deakens, every ane according to their Craft; quhilk Deakens, on the morn thereafter, ſall aſſemble

aſſemble and convein their Crafts, and every Craft be themſelves, furth of thir Names ſhall elect ane Perſon wha ſall be their Deaken for that year, and upon the next Counſel day after the ſaid Election, the auld Deakens, with ſome of the Maſters of their Crafts, ſall preſent the new Deakens to the Counſel, quha ſall authorize them in their Offices.

New Counſel of DEAKENS.

NExt to proceed to the election of the New Counſel. The ſaid day of preſenting of the new Deakens, The Proveſt, Baillies, and Counſel now ſtandand of Nineteen Perſons, and fra then furth, the ſaid day yearly; The Proveſt, Baillies and Counſel of Twenty Five Perſons, ſall chooſe furth of the ſaids Fourteen Deakens, Sex Perſons to be adjoyned with the new Counſel for the year to come, and to have ſpecial vote in lytting and chooſ-

ing

ing of the Proveſt, Baillies and Counſel; and the ſame day, the auld ſex Deakens quhilk was upon the Counſel the year preceeding, to be removed and have na farther vote for that year, except ſome of them be of the number of the new elected Deakens.

New Counſel of MERCHANTS *and* CRAFTS.

THereafter, Upon the *Wedneſday* next, preceeding *Michaelmaſs* ilk year, The Proveſt, Baillies, Dean of Gild, Theſaurer, and Ten Merchants of the Counſel, and the ſaids Sex Deakens, and Twa Crafts-men, and in the hail Twenty Five Perſons, and Twenty Sex Votes, be reaſon of the Proveſts twa Votes, ordinarily ſtandand at all tymes, Sall conveen and chooſe the new Counſel, to the number of Eighteen Perſons, to wit, the auld Proveſt, Baillies, Dean of Gild and Theſaurer of that year, and the ſaid ſex Deakens

to

to make Threttеen Perſons thereof, and to them to be choſen Three Merchants and Twa Crafts-men, and thir Perſons to be callit the New Counſel; And if any Perſon of the Merchants choſen upon the New Counſel, happens to be put on the Lytte of ane uther Office, and promovit thereto, ane uther ſall be choſen in his room be the ſaids Proveſt, Baillies and Counſel.

Lytts of MAGISTRATS.

THridly, To proceid to the chooſing of the Lytts to the Magiſtrats and Office-men, ſic as Proveſt, Baillies, Dean of Gild and Theſaurer, Upon the *Friday* nixt thereafter, there ſall conveen the ſaid New Counſel of Eighteen Perſons, and the Auld Counſel conſtitute of Twelff Perſons, *viz.* Ten Merchants and Twa Crafts-men, and in the hail Thretty Perſons to the Proveſts odd vote; quhilks Perſons

ſolemnatly proteſting before God, that they ſhall chooſe the Perſons whom they find maiſt meet, without favour, hatred, or any kind of colluſion, then ſall begin and chooſe the Lytts to the ſaid Magiſtrats and Office-men, to every ane of them three Lytts, that is to ſay, To the Proveſt, twa Lytts with himſelf; To the four Baillies, every ane of them three Lytts, the auld Baillies not beand ane, except they be new choſen thereto; To the Dean of Gild, twa Lytts with himſelf; And to the Theſaurer, twa Lytts with himſelf; quhilks hail Lytts ſall be of the Order and Calling of Merchants, as ſaid is.

Election of MAGISTRATS.

FOurthly, To proceed to the electing and chooſing of the ſaid Magiſtrats and Office-men; Upon the *Tueſday* nixt after *Michaelmaſs* yearly, there ſall conveen the ſaids Threttty Perſons

Perſons of new and auld Counſel, and with them the reſt of the Deakens of Crafts quhilks are not of the Counſel, extending to Eight Perſons; the hail Perſons ſwa conveenand, extending to Threttty Eight Perſons by the Proveſts odde Vote, thereof Twenty Merchants, and Eighteen Crafts-men, quhilks Perſons ſall begin at the Lytts of the Proveſt, and every ane in their awen Rank, give their Votes to ſic as they find meet for the weill of the Town, according to their conſcience and knawledge, but feid or favour; and on whom the greateſt number of Votes ſall fall, that he be ſworn, receivit, and admittit Proveſt for that year; and ſwa to proceed thorow the Lytts of the Baillies, Dean of Gild and Theſaurer, quhill the ſaid Election be compleatly endit. The ſaids Proveſt, Baillies, Dean of Gild, Theſaurer and Counſel, electit as ſaid is, makand in the hail Twenty Five Perſons; They only, and na uthers, ſall have the full Government and Adminiſtration of the

hail Common-weill of this Brugh, in all things, as the Proveſt, Baillies, and Counſel thereof, or of any uther Brugh had of before, or may have hereafter, be the Laws or Conſuetude of this Realm, Infeftments and Priviledges grantit to this Town be Our Soveraign Lords maiſt Noble Progenitors; exceptand always thir Cauſes following, in the quhilks the hail Fourteen Deakens of Crafts ſall be callit and adjoyned with them to give their ſpecial vote and conſultation thereinto, to wit, In Election of the Proveſt, Baillies, Dean of Gild and Theſaurer, as ſaid is, In ſetting of Fews, or any manner of Tacks, attour the yearly Rowping on *Martinmaſs* Even, In giving of Benefices and uther Offices in Brugh, In granting of Extents, Contributions, Emprimits, And ſicklike Bigging of Common-Warks, And in Diſponing of the Common-Good above the Sum of Twenty Pound togidder.

Wairning

Wairming of the DEAKENS, *and* COUNSEL.

PRoviding nevertheleſs, that the Deakens not of the Counſel, or any of them, beand perſonally warned to that effect, and abſenting themſelfs, ſwa oft the laſt Deaken, or any uther that was in Lytt with him that yeir, ſhall ſupplie their room; and they beand perſonally warned, and abſent, the reſt compearand ſall have power to proceed: If any of the Proveſt, Baillies, and Counſel be abſent, the reſt wha are preſent ſall chooſe an uther in their room, And to avoid all ſuſpicioun that hes riſen in times paſt, through the particular Aſſemblies and Conventiouns, contrair to the Acts of Parliament, and to the trouble of the quyet eſtait of this Brugh.

CONVENTIOUNS.

IT is agreit and concludit, that nather the Merchants amang themſelfs, nather the Crafts and their Deakens, or Viſitors, ſall have or make any particular, or general Conventions, as Deakens with Deakens, Deakens with their Crafts, or Crafts amang themſelfs, far leſs to make privat Laws, or Statutes, Poynd and Diſtrenzie at their awen hands for tranſgreſſions, by the advice and conſent of the Proveſt, Baillies, and Counſel:

DEAN *of* GILD *may conveen his* COUNSEL.

EXceptand alwayes, that the Dean of Gild may aſſemble his Brethren and Counſel, in their Gild-Courts, conform to the ancient Lawes of the Gildrie, and Priviledges their-

of

of: And that any ane Craft may convein together amang themſelfs, for the chooſing of their Deakens at the tyme appointit theirto, and in manner before expreſt; making of Maſters, and trying of their Handie-wark allanerly: And if any Brethren, or Deakens of Crafts, ſall find out, or devyſe any good Heids that may tend to the weill of their Craft, they ſall propone the ſame to the Magiſtrats, wha ſall ſet forward an Act or Statute thairupon.

COMMISSIONERS.

ITem, As tuitching the Commiſſioners in Parliament, General Counſel, and Commiſſioners in Conventioun of Burrows, it is thought guid be the Commiſſioners, that in all tymes coming, the ane of the ſaids Commiſſioners for the Brugh of *Edinbrugh* ſall be choſen be the ſaid Proveſt and Baillies furth of the Number and Calling of the Crafts-

Crafts-men, and that Perſon to be ane Burgeſs and Gild-Brother of the Brugh, of the beſt, expert, and wiſe, and of honeſt Converſation.

AUDITORS.

ITem, It is agreed, that the Auditors of all the Towns Compts ſall hereafter be choſen of equal Number, of Merchants and Crafts-men, be the Proveſt, Baillies, and Counſel.

GILDRIE.

ITem, Toward the lang Controverſies for the Gildrie, it is finally, with common conſent appoyntit, agreit and concludit, that als weill Crafts-men as Merchants, ſall be received and admitted Gild-brether, and the ane not to be refuiſit or ſecludit there-fra mair nor the uther, they being Burgeſſes of the Burgh,

Burgh, als meit and qualified thairfore; and that Gild-brether have liberty to uſe Merchandice. Their Admiſſion and Tryal of their Qualificatioun to be in the power and hands of the Proveſt, Baillies, Theſaurer, and Counſel, with the Dean of Gild, and his Counſel, quhilk ſall conſiſt in equal number of Merchants and Crafts-men Gild-brether, not exceiding the number of ſex perſons, by the Dean of Gild himſelf; And that no perſon, of what faculty ſoever he be, ſall bruik the benefit of an Gild-brother, without he be receivit and admittit theirto, as ſaid is.

BURGESSES, CRAFTS.

ITem, That na manner of Peſon be ſufferit to uſe Merchandice, or occupy the Handie-wark of ane Free Crafts-man within this Burgh, or yet to exerce the Liberty and Priviledge of

of the ſaid Burgh, without he be Burgeſs and Free-man of the ſame.

EXTENTS.

ITem, Becauſe the Merchants and Crafts-men of this Burgh are now to be Incorporat in ane Society, and to make an haill Town, and an Common-weill. It is thought guid and expedient, and concludit, to abrogat the former Cuſtome of dividing and ſetting of Extents, wherein the Merchants payit Four pairts, and the Crafts the fift part: And theirfore it is agried, that as they Watch and Waird together, ſwa in all Extents, Emprimits, Contributiouns, and the like Subſidies to be Impoſit upon the Brugh, Merchants and Crafts-men to bear the burden and charge theirof indifferently over-heid, according to their ability and ſubſtance, throw the hail Quarters of the Town, without diviſioun of the Rolls in Merchants and Crafts-

Crafts-men in any tyme coming; The Extentours ſall be of equal number of Merchants and Crafts-men, eight Perſons of the ane Calling, and eight Perſons of the uther, to be electit, ſworn, and receivit be the Proveſt, Baillies, and Counſel, out of the maiſt diſcreit and skilful of all the Town, void of all partial affectioun and hatred: and that na Perſon uſand the Trade of Merchant or Crafts-man, and occupyand the friedome of the Brugh, and able to pay any Extent, not beirand the Office of Proveſt or Baillies in the mean time, ſall be any wayis exemit fra the real and actual payment thereof.

COLLECTIOUN.

Item, As the hail Body of the Town, conſiſtand of Merchants and Crafts-men, does beir an common burden of Watching, Wairding, Extenting, and of the like Publick Charges, having an

an Commoun Good proper to nane, ſwa neidful it is for making an equal Unity, and charitable Concord, that there be in the hail Town but an Collection, and an Purſe, not peculiar to any, bot common to all, of the haill Dewties and Caſualities, callit the Entres-ſilver of Prenteiſſes Up-ſetts, Owkly Pennies, Un-laws, and ſick-like to be Collectit in all tymes coming, and received baith of Merchants and Craftsmen, and put in an Common Purſe, and to that effect the Merchants to take and have Prentices, als weil as Craftsmen, and to be aſtrictit and obleiſt theirto, and na Prentice alwayes to be received of ather of them for ſhorter tyme nor the ſpace of fyve yeirs compleit. And for the better knowledge to be had heirof, and for obſerving an good ordour in Collectioun of the ſame, that there be an commoun Book made keipit be the commoun Clerk of this Brugh preſent, and to come, wherein the names of all Prentices to Merchants and Crafts-men, the name of their Maſter,

ſter, day of their Entreis, and ſpace of their Prenteiſhip, ſall be Inſert and Buikit; for the quhilk the Clerk ſall have at their Buiking of ilk perſon Sex Pennies, and for the Out-draught Twelff Pennies, quhilk Buik ſall be to the Prentice an ſufficient probatioun of his Entres, and an Chairge to the Collectors of the ſaid Dewties. If any Man be an Prenteis heirefter, and not put in the ſaid Buik, his Prenteiſhip ſall be to him of na effect. Alſwa, be reaſon every Induſtry is not of like valour and ſubſtance, it is declairit what ilk Rank or Degree of Prenteiſſes ſall pay, to wit, the Merchant Prenteis, and ſic kind of people as were wont to Extent with them, and are not under an of the ſaid Fourteen Crafts, to pay at his Entres the day of his Buiking to the ſaid Collectioun Threttie Shilling, and at his Up-ſett, or end of his Prenteiſhip Fyve Pund. The Prenteis to an Skynner, Chirurgian, Gold-Smyth, Fleſher, Cordiner, Tailyeour, Baxter, and Hammer-men, at their Entry and Buiking,

Buiking, to the ſaid Collectioun Twenty Shilling, and for their Up-ſett Fyve Pund: The Prenteis to an Maſoun and Wright at his Entrie Thretteen Shilling Four Pennies, and his Up-ſett Three Pund Sex Shilling Eight Pennies. The Prenteis to an Webſter, Waker, Bonnet-maker, Furriour, at his Entry Ten Shilling, and for his Up-ſett Fyftie Shilling: And thir Dewties to be tane by their Owkly Pennies, and Dewties of their Burgeſhips: And to cauſe all perſons to be mair willing to Enter themſelfs in Prenteiſhip with the Burgeſſes and Frie-men of the Brugh; this Priviledge is grantit to the ſaids Prenteiſes, that they ſall pay na mair for their Burgeſhip to the Dean of Gild, but Fyve Punds by the Dewties foirſaids: And in augmentatioun of the ſaid Collectioun, when any perſons ſall happen to be made Burgeſſes of this Brugh, wha was na Prenteis to an Merchant, or Crafts-man, frie Burgeſs of the ſaid Brugh, or hes not compleit his Prenteiſhip, ſall pay to the ſaid Collectioun

lectioun at his Admiſſioun the double of the haill Prenteis or Entres-ſilver Upſett and Buiking, by the Dewty payit to the Dean of Gild for his Burgeſhip, or Gildrie, quhilk is Twenty Punds for his Burgeſhip, and Fourty Pound for his Gildrie: The priviledge alwayes of the Bairns of Burgeſſes and Gild-brether not being prejudged heirby, quha ſall pay the auld and accuſtomed Dewty to the Dean of Gild allanerly. Thir Dewties and Collectiouns, or Caſualities of Entres-ſilver, Upſetts, Owkly-pennies, Un-laws, and ſik-like, to be received in all times coming, of all Merchants and Crafts-men indifferently, put in the ſaid Common-purſe, and imployit be the advyce and command of the Proveſt, Baillies. and Counſel. for ſupport and relief of the failyiet and decayet Burgeſſes and Crafts-men, their Wyfes, Bairns, and auld Servants. and uther poor Indwellers of the Town. The Proveſt. Baillies. Counſel, and haill Deakens, every yeir after Electioun of the

the Magiſtrats, ſall chooſe the Collectors of the ſaid Dewties and Caſualities, of equal number of Merchants and Crafts-men, and to devyſe and ſet down ſic good ordour as they ſall find meet and expedient for the perfyte and reddie in-bringing theirof. And laſt, the ſaid Collectors ſall make yeirly Compts of their intromiſſioun theirwith, at the tyme of making of the Towns Compts, and ſall find ſufficient Cautioun at their admiſſioun, for Compt, Reckoning, and payment. *Item*, It is Ordained, that baith the ſaids Pairties, Merchants aud Crafts-men now preſent, and their Succeſſours, ſall inviolably obſerve, keip, and fulfill this preſent appointment and Decreit Arbitral, and every Heid, Clauſe, and Article conteinit therein. Likeas, His Majeſty and the ſaids Judges, wills and ordains them with willing hearts to put in oblivion all bypaſt enormities, imbrace and intertein Love and Amity, and as they are of ane City, ſwa to be of ane Mind; then ſall they be acceptit of God, ſtop the

mouths

Mouths of them quhilk tuik occaſion be their Diviſion to ſlander the Truth; then ſall they be mair able to do our Soveraign Lord acceptable Service, and have ane ſtanding and flouriſhing Common-weall, and finally, His Majeſty and the ſaids Judges will eſteem their lang Travels fruitfully beſtowit.

CERTIFICATION *of the* SETT.

ATtour, His Majeſty and the ſaids Judges, Ordains the Practice and Execution of this preſent Appointment and Decreet to be and begin after the Day and Date hereof, and to continue, and be obſervit and keepit as ane perpetual Law in tyme coming; and whaſoever contraveins the ſamen, ſall be repute and halden ane Troubler of the quiet Eſtate of the Common-weal, incurre the Note of Infamy, and forfault and tyne their Freedome for ever, and otherways to be perſewit and puniſhit as ſeditious Perſons, conform to

the Laws of the Realm, with all rigor and extremity; And ordains thir Preſents to be Ratifiet and Approvet in His Highneſs next *Parliament*; and in the mean tyme, the ſame to be Actit and Regiſtrat in the Buiks of Counſel and Seſſion, and to have the ſtrength of Acts and Decreets of the Lords thereof, and that their Authority be interponit thereto, and Letters and Executorials to paſs thereupon, in form as effeirs; And for acting and regiſtrating of the ſamen, Makes and Conſtituts, Mrs. *John Sharp*, *John Preſtoun*, *Thomas Craig*, and *John Skeen*, our Procurators, conjunctly and ſeverally, *in uberiore forma Promittendo de rato*. In witneſs, whereof the ſaids Judges and Overſ-man togidder, with the ſaids Commiſſioners, in token of their Conſents and Acceptation of the Premiſſes, has ſubſcrivit thir Preſents with their Hands, as followis, Day, Year and Place foreſaids. *Sic ſubſcribitur*, JAMES R. *Robert Fairlie* of *Braid*, *Archibald Naper* of *Edinbellie* Knight,

James

James Johnſtoun of *Elphingſtoun*, *John Cockburn*, *David Lyndſey*, *Robert Pont*, *Alexander Clerk* Proveſt, Mr. *Michael Chiſholme* Baillie, *Andrew Sclatter* Baillie, *John Adamſone* Baillie, Mr. *John Preſtoun* Dean of Gild, *Mungo Ruſſel* Theſaurer, *Robert Ker* younger, *Henry Charters*, *John Moriſone*, *John Harwood*, *John Robertſone*, and *William Nesbet*, *Alexander Naper* *James Fergusone*, *William Mauld*, *John Johnſtoun*, *Edward Galbraith*, *Gilbert Primroſe*, *John Wat*, *James Ker* with my hand, *William Pringle*, *Edward Hairt*, *John Bairnsfather* Tailyour, *Thomas Dickson*, *Andrew Williamſone*, *Thomas Wright*, *William Bickerton*, *William Somer*, *Adam Newtoun*, *William Weir*, *William Cowts*, with our hands, at the Pen led be the Notars underwritten, at our command, becauſe we cannot write our ſelves.

Ita eſt Mr. Alexander Guthrie, *Notarius Publicus*, *ac Teſtis in Premiſſis*, *de Mandatis dictarum Perſonarum ſcribere neſcientium ut aſſeruerunt Teſtantibus*,

his meis Signo ac Subſcriptione manualibus, Acta 14. & Maij 25. 1583.

Ita eſt Mr. David Guthrie, *Connotarius in Premiſſis de mandatis dictarum Perſonarum ſcribere neſcientium teſte manu propria.*

Extractum de Libro Actorum, per me Alexandrum Hay *de* Eister Kennet, *Clericum Rotulorum Regiſtri ac Conſilij,* S. D. N. *Regis ſub meis ſigno & ſubſcriptione manualibus.*

Sic ſubſcribitur

Alexander Hay.

ACTS
OF THE
Tovvn Council
OF
EDINBURGH,

Determining the Time how long the Lord Provoſt, Bailies, Dean of Gild and Theſaurer of the ſaid Burgh, ought to continue at one time in their reſpective Offices;

Authorized by Decreet of the Lords of Council and Seſſion, upon the Twenty Eight Day of *February*, One Thouſand Six Hundred Seventy Three Years:

Together

With an Act of the ſame Town Council, declaring the Grounds and Motives for Printing the ſaids Acts.

EDINBURGH,
Printed by the Heir of *Andrew Anderſon*, Printer to His moſt Sacred Majeſty, City and Colledge, 1683.

AT EDINBURGH,

The first day of October, *One thousand six hundred and seventy eight Years.*

THe which day, the Lord Provoſt, Bailies, Council and Deacons of Crafts, ordinar and extraordinar, being conveened in Council, taking to their ſerious and impartial conſideration, That the Laws of this and all other well governed Nations, do oppoſe moſt vigorouſly the perpetuating of Magiſtrats within Towns and Burghs, as that which inhanſes the Government (that ought to be alterable, according to the merits of the Citizens) into the hands of one or very few, who may thereby eaſily exclude other well-deſerving Neighoburs from the Government, and might appropriat or imbeazle the Com-

mon-

mon-Good at their pleaſue; And thereby wreath an inſupportable yoke upon the necks of their Fellow-Citizens, and upon the place of their Nativity and Reſidence: And having by experience found many moe diſadvantages riſing by ſuch unwarrantable and affected elections, and that even among the beſt of Perſons, whom time and opportunity did too frequently tempt and corrupt: In ſo far that it was found neceſſary by our Predeceſſors to be preciſe and ſpecial as to the time of the continuation of their Magiſtrats: which according to the nature of all Laws, they did enact in general terms, not having an eye to any particular perſons; well foreſeeing that albeit ſome perſons in the Government of the Burgh, might, for one or two year, behave themſelves to the ſatisfaction of the Neighbours, knowing their time to be determined and fixed by Law, yet that the ſame perſons continuing longer, being left to their own freedom and liberty to perpetuate themſelves in the Govern-

ment

ment as long as they could by Faction or Intereſt, might in proceſs of time degenerate and prove corrupt, and that the inconveniencies in removing ſuch deſerving perſons from the Government of the Burgh, cannot by many degrees ballance the innumerable and vaſt ill conſequences which naturally and inevitably attends the indefiniteneſs, and undeterminateneſs of the time, in relation to the continuance of the Magiſtrats within this Burgh, eſpecially ſeing the Affairs of the City, can ſuſtain little or no prejudice by the Councils being neceſſitate to remove from the Government, perſons who have given proof of their integrity, during their adminiſtration: In regard the remedy is in their own hands, and they may, out of a due reſentment of former good ſervices, Elect of new the ſaids perſons within few years after they are removed from the Magiſtracy. Upon all which conſiderations (and in reſpect that in this Metropolitant City of the Kingdom, there is alwayes a ſufficient number

number of able and well qualified Citizens, fit for the Magiſtracy thereof) The Council upon the 5. day of *October*, 1658. years, laying aſide their own intereſt, and the conſideration of the power they then poſſeſt, did paſs an Act, declaring that the Lord Provoſt, Dean of Gild, and Theſaurer of this Burgh, ſhould not continue longer in their reſpective Offices, than one, or, at the moſt, two years together at one time; and that the Bailies of this Burgh ſhould be but one year Bailie, one year old Bailie, and one year free of Office; and ſhould not be put upon the Leits to be Bailies until theſe years expired. Under which Act the Neighbours lived happily, until the *Michaelmaſs* 1664. years. At which time, the ſaid Act was reſcinded, and thereafter, the good Town having found too much the inconveniencies that followed that reſciſſion, the ſame did neceſſitate ſome of the Citizens to raiſe a Declarator of the Towns Priviledges before the Lords of Seſſion; the reſult of which Proceſs,

was

was, that the ſaids Lords, by their juſt and wiſe Sentence in *February* 1673. years, Decerned, for preveening all future incroachments upon the Towns Priviledges in that point; that the ſaid Act ſhould be revived and further ſecured, by adjecting a conſiderable penalty and an Oath, which every Magiſtrat and Member of the Council is to take upon the day of the Election of the Magiſtrats, for the more inviolable keeping and obſerving of the ſaid Act: And in the ſame Sentence and Decreet of the Lords of Seſſion, the ſaid Act is at length and *verbatim* inſert as their Decernatour, and made a part of the Fundamental Government of the good Town; and accordingly ever ſince, upon the Election day, the ſaid Oath is adminiſtred and taken by the whole Council. And the preſent Council being highly ſenſible of the many good effects, which have followed the obſervance of the ſaids Acts, for ſeveral years paſt; and being deſirous to ſhew how willing they are

that

that well-deſerving Citizens ſhould have a ſhare in the Government of this City by turns, in which they hope that every one of them will by a generous emulation endeavour to exceed one another in their care of, and kindneſs to, the good Town; and to extinguiſh all hopes of perpetuating the power in their own hands, or in the hands of ſuch as ſhall be advanced thereto in time coming; And to prevent all ſydings and factions amongſt the Inhabitants upon ſuch deſigns, whereof the Council are very confident (ſeing now perſons are removed from the Magiſtracy, not out of humour and pick, as was formerly ſuppoſed, but by the appointment and determination of the Law:) They have therefore ordained the ſaid Acts to be Printed, that none of the Neighbours may pretend ignorance, but may regulat themſelves accordingly: Of which Acts, the tenor follows.

At *Edinburgh*, the fifth day of *October*, One thouſand ſix hundred fifty eight years.

THe which day, the Lord Provoſt, Bailies, and Council new and old, and whole Deacons of Crafts, ordinar and extraordinar, being conveen'd in Council, and (having called upon the Lord for a bleſſing upon their affairs and endeavours) taking it to their ſerious conſideration the great prejudice which this City and good Government thereof, hath ſuſtained by the long continuance of Provoſts, Dean of Gild and Theſaurers in their places, and the too great precipitancy which hath been practiſed in bringing in of Bailies to the place and Office before their ordinary courſe and ſeaſon: For remeed whereof, and to the effect that Love, Concord, and Unity may be kept, not only amongſt the whole Council, but alſo amongſt the Neighbours and Inhabitants of this City. It

is

is unanimouſly Agreed upon, Statute and Ordained, that in all time coming, the Provoſt, Dean of Gild, and Theſaurer of this Burgh, ſhall not be elected or continued in their reſpective Offices longer than one, or at moſt two years together at one time. And that the Bailies of this Burgh, in all time hereafter, ſhall only be one year Bailie, one year old Bailie, and one year free of Office, and ſhall not be put in the Liſts to be Bailies, until thoſe years be paſt. And further, It is Statute and Ordained, that whoſoever hath been, or ſhall be Dean of Gild, is, and ſhall be alwayes hereafter capable to be Liſted and choſen Bailies, as the Council ſhall think fit: And that no Theſaurer ſhall be capable to be Liſted for, or Elected a Bailie, till ſuch time as the Accompts of his Intromiſſion the time of his being Theſaurer be fitted and approven by the Council. And for the better obſervance of the premiſſes, ordains this preſent Act ilk year to be ſolemnly read in preſence of the Council,

the

the day of making the Lists of the Magistrats, before the Council proceed to the making of the Lists. As also, upon the day of Election of the Magistrats, before the Council do any thing in relation to the said Election, that none may pretend ignorance.

At *Edinburgh*, the fourth day of *March*, One thousand six hundred seventy three years.

THe which day, the Provost, Bailies, Council, and Deacons of Crafts, ordinar and extraordinar, being conveen'd in Council, taking to their serious consideration an Act made by the Provost, Bailies, and Council for the time, bearing date the fifth day of *October*, One thousand six hundred fifty eight years, whereby upon the great and weighty considerations therein mentioned, it was Statute and Ordained, that in all time coming, the Provost,

voſt, Dean of Gild, and Theſaurer of this Burgh, ſhould not be Elected, nor continued in their reſpective Offices, longer than one, or at moſt two years together at one time; And that the Bailies of this Burgh, in all time thereafter, ſhould only be one year Bailie, one year old Bailie, and one year free of Office; and ſhould not be put in the Leits to be Bailies, until theſe years be paſt, as at more length is contained in the ſaid Act. And finding that the ſaid Act, is in it ſelf moſt juſt and neceſſary for the good of this Burgh, and conform to the Laws and Acts of Parliament made anent the Election of Officers as Magiſtrats within Burgh; Therefore the Council did ratifie, approve, and revive the ſaid Act, in the whole Heads, Articles and Clauſes of the ſame; And ordains the ſame to have full effect, and to be put to execution in all time coming. And declares this preſent general Ratification to be as valid and effectual, as if the ſaid Act were herein particularly inſert. Whereanent

anent the Council have diſpenſed, and hereby diſpenſes for ever. Likeas the Council does reſcind and annul all former Acts which are any wayes prejudicial to, or inconſiſtent with the ſaid Act: And particularly, do reſcind and annul an Act bearing date the fourth day of *October*, One thouſand ſix hundred ſixty four years: Reſcinding the foreſaid Act bearing date the fifth day of *October*, One thouſand ſix hundred fifty eight years; and declares the ſaid laſt Act to be void and null, and to be prejudicial and derogatory to the Laws and Acts of Parliament, and to the Sett and Decreet Arbitral, and the Fundamental Liberties and Priviledges of this Burgh. Likeas, the Council being deſirous, that the foreſaid Act of the date, the fifth day of *October*, One thouſand ſix hundred fifty eight years, ſhould be inviolably obſerved in all time coming: And that all practices, invaſions, and violations thereof, may be the better prevented, The Council do Statute and Ordain, that the Pro-

voſt, Bailies, Council, and Deacons of Crafts, ordinar and extraordinar, for the time, ſhall take an Oath for the inviolably obſerving of the ſaid Act in all time coming; and that directly nor indirectly they ſhall do nothing prejudicial thereto: And which Oath is to be yearly adminiſtred and taken by the Provoſt, Bailies, Dean of Gild, Theſaurer, and whole Council, having Vote in the Election of the Magiſtrats: And that immediatly before their going about the ſaid Election, the ſaid Act is to be publickly read in the Council, and the Oath adminiſtrated. And further, the Council do Statute and Ordain, that all Elections hereafter to be made, that are not conform to the ſaid Act, ſhall be *ipſo facto*, void and null; and the perſons ſwa to be Elected, declared to be uncapable of bearing any Office of Magiſtracy within the ſaid Burgh longer than is preſcribed by the ſaid Act, and the Electors of any perſons as Magiſtrats, contrair to the ſaid Act, to be holden and repute as

infamous

infamous perſons, and invaders of the juſt Liberties and Priviledges of the ſaid Burgh, and lyable in the Sum of an Thouſand Merks *Scots* Money, each one of them, to be applyed by ſight and advice of the Lords of Privy Council, and Lords of Seſſion, for the common good of this Burgh, and the penalty of Five Thouſand Merks money foreſaid, to be inflicted upon ſuch perſons as ſhall happen to be elected contrair to the ſaid Act, in caſe they do attempt to exerce any Office within the ſaid Burgh, otherwiſe than is preſcribed by the ſaid Act, and are declared by thir preſents, and that with all rigour. And it is hereby expreſly provided and declared, that execution ſhall paſs hereupon for implement and fulfilling of every point, clauſe and penalty of this Act, at the inſtance of any Merchand, that hath been, or hereafter ſhall be Members of the Council of this Burgh; or at the inſtance of any Tradeſman, that hath been, or hereafter ſhall be Members of the

Council of this Burgh; or ſhall hereafter be Deacons of Crafts, or Crafts Counſellours in any time coming, and that againſt the contraveeners and breakers of this preſent Act. Likeas, It is hereby declared, that it ſhall be lawful and competent to any perſon to proteſt againſt any ſuch illegal Elections; and which Proteſtations the Clerk is to inſert in Record, and that the ſame ſhall be repute to be true and faithful ſervice for the good and intereſt of this Burgh. And laſtly, The ſaid Lord Provoſt, Bailies, and Council, for the better ſecurity of this preſent Act, in all points, do by their ſolemn Oath, *in verbis de preſenti*, proteſt before God Almighty, that they ſhall obſerve this preſent Act in all the Heads, Clauſes and Articles thereof, inviolable in all time coming. And for the more ſecurity, the ſaids Lord Provoſt, Bailies, and Council, conſents to the Regiſtration hereof in the Books of *Sederunt* of the Lords of Seſſion, or the ordinary Books of the ſaids Lords

Lords of Council and Seſſion, to have the ſtrength of a Decreet of their Lordſhips interpon'd thereto, that Letters and Executorials neceſſary may paſs hereon; and the Horning on a ſimple Charge on ſix days allanerly; and for that effect conſtitutes Mr. *John Lawder* Advocat their Procutor. In witneſs whereof (written by *William Mackie* Writer in *Edinburgh*) they have ſubſcribed thir Preſents with their hands, day, place, and year of God foreſaid: Before thir Witneſſes, Mr. *Robert Lawder*, Portioner of *Belheaven*, and *Alexander Gay* Writer in *Edinburgh*, inſerter of the Date and Witneſſes. *Sic Subſcribitur*, Sir *Andrew Ramſay* Provoſt, *Thomas Calderwood*, *John Hall*, *Alexander Pitcairn*, *Robert Learmond* Bailies, *Walter Borthwick* Dean o Gild, *Thomas Robertſon* Theſaurer, *James Currie*, *John Johnſtoun*, *Andrew Cheyn*, *William Binning*, *David Boyd*, *Francis Kinloch*, *Mungo Wood*, *William Carmichael*, *James Riddel*, *David Swintoun*, *John Foſſie*, *Lawrence Edinſtoun*, *Alexander Bullerwell*,

well, *Robert Elliot*, *George Gardner*, *Hary Barclay*, *Thomas Campbel*, *Edward Clegborn*, *James Paterſon*, *Robert Newlands*, *David Muir*, *John Carſs*, *George Johnſtoun*, *William Stevenſon*, *William Hopkins*, Mr. *Robert Lawder*, and *Alexander Gay*, Witneſſes.

The Principal Act, Subſcribed upon the Back by the Lord Preſident of the Seſſion, is Regiſtrat in the Books of Council and Seſſion, and kept amongſt the Warrants of the ſaid Decreet.

The Council of *Edinburgh*, has at all their reſpective Elections, ever ſince the ſaid Decreet of the Lords of Seſſion, ſworn to the inviolable obſervation of the ſaid Act, and their names are recorded in the Council Books of the ſaid Burgh.

FINIS.

ACT

Anent the Town Clerks.

Edinburgh, *the twenty ſeventh of* Auguſt, *one thouſand ſix hundreth ſeventy five years.*

THe which day, the Lord Provoſt, Baillies, and Dean of Gild, Theſaurer, Counſel, and Deacons of Crafts, ordinar, and extraordinar, being Conveened in Counſel; Conſidering how much the Reputation, Intereſt, and Quietneſs of this City is concerned, that their Clerks, and other inferiour Servants keep themſelves to, and within the Duty of their ſeveral Offices; and that by their medling heretofore in the Election of their Magiſtrats and common Counſel, great abuſſes have been committed, Factions and Diviſions have been bred, and fomented amongſt the Neighbours; and the free Elections of Perſons of greateſt Merit and Intereſt for the good of the Town, have been, and endea-

voured to be interrupted by the unlawful and factious medling of their own Servants and Clerks, to the dishonour and prejudice of the Town, and to the hazard of the publick peace and quietneſſe thereof: And finding themſelves obliged in duty to prevent ſuch unwarrantable and dangerous Courſes in time coming; Therefore the Lord *Provoſt*, Baillies, Dean of Gild, and Theſaurer, and Counſel, and Deacons of Crafts, ordinar, and extraordinar, have thought fit to Enact, Declare, and Ordain; Likeas they do hereby Enact, *Declare*, and Ordain, that the Clerks of this City, who are preſently, or ſhall be hereafter in that Office, ſhall keep themſelves cloſs to their Duties, as Clerks; And that it ſhall not be lawful to them, but that it ſhall be a Crime, meriting Deprivation, and incapacitie to Serve in that Place for ever thereafter, at any time coming, to medle in the Elections of the Magiſtrats, Counſel, or *Deacons* within the City,

City, or Liberties thereof, *Informing*, or Soliciting, or Recommending, or Conferring, or Treating, or any other manner of way, by themſelves or others, directly, or indirectly, interpoſing with any Perſons, in, or concerning any of the ſaid Elections, or in making of Liets for the ſame: And alſo that they ſhall not medle in any other publick Affairs of the good Town, but within the limits of their Offices as Clerks. And accordingly they are hereby diſcharged as ſaid is, to medle in any ſort; And in caſe they failzie, they are forthwith to be Deprived, and Diſcharged of their Offices, and declared for ever incapable to Serve therein. And the Counſel ordains theſe Preſents to be Recorded by their preſent Clerks, in the Counſel Books, and to be written in an fair hand Writ, affixed on an Broad, and appended on the Wall of the Counſel-houſe, at all Meetings of the Counſel. And for the ſaids Clerks, their punctual obſervance

of the Premiſes, appoints them to make Faith, and declare upon their great Oath, that they ſhall not tranſgreſſe this preſent Statute in any Point.

Extracted

WILL. RAMSAY.

Eodem die,

Mr. *William Ramſay* one of the Town Clerks, and *Alexander Gay* made Faith accordingly.

FINIS.

MVSEVM BRITAN NICVM